

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By **CHAIRMAN CINDY YOUNKIN**, on January 20, 2003 at 3:02 P.M., in Room 152 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Cindy Younkin, Chairman (R)  
Rep. Gail Gutsche, Vice Chairman (D)  
Rep. Jim Peterson, Vice Chairman (R)  
Rep. Debby Barrett (R)  
Rep. Larry Cyr (D)  
Rep. Sue Dickenson (D)  
Rep. Ron Erickson (D)  
Rep. George Everett (R)  
Rep. Kim Gillan (D)  
Rep. Christopher Harris (D)  
Rep. Carol Lambert (R)  
Rep. Michael Lange (R)  
Rep. Rick Maedje (R)  
Rep. Bruce Malcolm (R)  
Rep. Brad Newman (D)  
Rep. John (Jack) W. Ross (R)  
Rep. Scott Sales (R)  
Rep. Veronica Small-Eastman (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Kathleen Ely, Committee Secretary  
Larry Mitchell, Legislative Branch

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 233, 1/14/2003; HB 144,  
1/14/2003  
Executive Action: HB 233, DO PASS, 18-0  
HB 202, TABLED

HEARING ON HB 233

Sponsor: REP. WAITSCHIES, HD 96, PEERLESS

Opening Statement by Sponsor:

3:03 p.m. REP. WAITSCHIES

Proponents' Testimony: None.

Opponents' Testimony: None.

Questions from Committee Members and Responses: None.

Closing by Sponsor:

3:04 p.m. REP. WAITSCHIES

HEARING ON HB 144

Sponsor: REP. HARRIS, HD 30, BOZEMAN

Opening Statement by Sponsor:

3:05 p.m. REP. HARRIS

**EXHIBIT**(nah11a01)

Proponents' Testimony:

3:10 p.m. Sandi Olsen, Department of Environmental Quality

**EXHIBIT**(nah11a02)

3:16 p.m. Ronna Christman, Montana Petroleum Marketers  
Association

3:23 p.m. Ross Cannon, Attorney

Opponents' Testimony:

3:26 p.m. Leo Berry, Attorney, Burlington Northern Santa Fe  
Railroad Company

Questions from Committee Members and Responses:

3:29 p.m. REP. LAMBERT

3:30 p.m. REP. HARRIS

3:30 p.m. **REP. MALCOLM**

3:31 p.m. **Sandi Olsen**

3:32 p.m. **REP. MALCOLM**

3:32 p.m. **Sandi Olsen**

3:33 p.m. **REP. BARRETT**

3:33 p.m. **Sandi Olsen**

3:33 p.m. **REP. BARRETT**

3:34 p.m. **Sandi Olsen**

3:34 p.m. **REP. MAEDJE**

3:35 p.m. **Sandi Olsen**

3:36 p.m. **REP. BARRETT**

3:36 p.m. **Sandi Olsen**

3:37 p.m. **REP. BARRETT**

3:37 p.m. **Ronna Christman**

3:38 p.m. **REP. LAMBERT**

3:39 p.m. **Ronna Christman**

3:39 p.m. **CHAIRMAN YOUNKIN**

3:40 p.m. **Ronna Christman**

3:40 p.m. **CHAIRMAN YOUNKIN**

3:41 p.m. **Ronna Christman**

**Closing by Sponsor:**

3:43 p.m. **REP. HARRIS**

**EXECUTIVE ACTION ON HB 233**

**Motion/Vote:** 3:47 p.m. **REP. ERICKSON** moved that **HB 233 DO PASS.**  
**Motion carried unanimously** by voice vote.

**EXECUTIVE ACTION ON HB 218**

**Motion:** 3:48 p.m. REP. ERICKSON moved that HB 218 DO PASS.

**Motion:** 3:48 p.m. REP. ERICKSON moved that HB 218 BE AMENDED.

**Motion carried unanimously** by voice vote.

3:50 p.m. Larry Mitchell

3:51 p.m. REP. PETERSON

3:51 p.m. CHAIRMAN YOUNKIN

**Motion:** 3:52 p.m. REP. ERICKSON moved that HB 218 BE AMENDED.

3:55 p.m. CHAIRMAN YOUNKIN

3:54 p.m. Pat Keim, Rail Carriers

3:58 p.m. CHAIRMAN YOUNKIN postponed consideration on HB 218.

**EXECUTIVE ACTION ON HB 202**

**Motion:** 4:02 p.m. REP. HARRIS moved that HB 202 DO PASS.

**Motion:** 4:05 p.m. REP. HARRIS moved that HB 202 BE AMENDED.

4:07 p.m. REP. MAEDJE moved to SEGREGATE AMENDMENTS 1 and 2.

**Motion passed unanimously** by voice vote.

4:07 p.m. REP. GUTSCHE

4:09 p.m. REP. YOUNKIN

4:09 p.m. REP. EVERETT

4:10 p.m. REP. GUTSCHE

4:11 p.m. REP. YOUNKIN

4:12 p.m. Larry Mitchell

4:13 p.m. REP. GUTSCHE

4:14 p.m. REP. HARRIS

4:14 p.m. **CHAIRMAN YOUNKIN**

4:15 p.m. **REP. ROSS**

4:16 p.m. **REP. HARRIS**

4:17 p.m. **Vote:** **REP. HARRIS** moved to pass **AMENDMENTS 3-5 of HB 20203.alm**, of HB 202 failed 2-16 with **REPS. HARRIS** and **SMALL-EASTMAN** voting aye by roll call vote with **REP. LANGE** and **BARRETT** voting aye by proxy.

4:20 p.m. **REP. PETERSON**

4:25 p.m. **REP. HARRIS**

4:26 p.m. **REP. HARRIS**

4:27 p.m. **REP. DICKENSON**

4:26 p.m. **REP. DICKENSON**

4:27 p.m. **CHAIRMAN YOUNKIN**

4:28 p.m. **REP. DICKENSON**

4:29 p.m. **REP. SALES**

4:29 p.m. **CHAIRMAN YOUNKIN**

4:29 p.m. **REP. ERICKSON**

4:32 p.m. **Vote:** Motion to pass **AMENDMENTS 1-2 (HB 20203.alm)** of HB 202 failed 8-10 with **REPS. GUTSCHE, CYR, DICKENSON, GILLAN, HARRIS, NEWMAN, SMALL-EASTMAN,** and **ERICKSON** voting aye by roll call vote with **REP. LANGE** and **BARRETT** voting no by proxy.

4:33 p.m. **Motion/Vote:** **REP. ERICKSON** moved that **HB 202 BE TABLED**. Motion carried unanimously by voice vote with **REP. LANGE** and **BARRETT** voting yes by proxy.

**ADJOURNMENT**

Adjournment: 4:35 P.M.

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REP. CINDY YOUNKIN, Chairman

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KATHLEEN ELY, Secretary

CY/KE

**EXHIBIT (nah11aad)**